

HONU'APO

OU1 Design Change and Modification Sheet: Change/Modification # 013

This form is used to document changes and modification to the approved plans.

This form will be kept with the official Quality Control Site Plan.

Date Initiated: 10/19/11 Date Executed: _____

Property ID: _____ Operable Unit 1 (Area 1)

Design Change / Modification Description:

Typical Detention Basin/Rock Trench; modify the configuration of the rock trench from an 18" deep x 24" wide rectangular, lineal excavation, to a minimum 18" deep x 24" wide irregular, lineal, bundled configuration of 1.5" to 4" minus uncrushed screened rock, as per plan; the length of the rock trench will also remain as per plan. The proposed change will provide for an overall larger volume of rock. Reference Sheet C6 (locations) and Sheet D2, Detail D.

Changes marked on Quality Control Plans? Yes ☒ No ☐

Signatures:

Approved:

USACE or EPA: 

Date: 10/21/11

City of Libby: 

Date: 10-21-11

Acknowledged:

CQC: 

Date: 10/21/11

TQA: 

Date: 10-21-11

HONU'APO

OU1 Design Change and Modification Sheet:

Change/Modification # 014

This form is used to document changes and modification to the approved plans.

This form will be kept with the official Quality Control Site Plan.

Date Initiated: 10/20/11 Date Executed: _____

Property ID: _____ Operable Unit 1 (Area 1)

Design Change / Modification Description:

Sheet(s) C4 and C6D, disregard incorrect elevation points 580 (Sht. C4) and 479 (Sht. C6D) Point 580 calls for fill on the southern slope of City Services Road. Point 479 calls for a cut at the base of City Services Road and Mt Hwy 37. Elevation Point 580 is inconsistent with the slope's design contours and appears to be a hold over from a previous, preliminary plan design element (roadside walkway, which is not a part of the current design; Point 479 has been determined to be incorrect.

Changes marked on Quality Control Plans? Yes ☒ No ☐

Signatures:

Approved:

USACE or EPA: _____

Date: 10/21/11

City of Libby: _____

Date: 10-21-11

Acknowledged:

CQC: _____

Date: _____

TQA: _____

Date: 10-21-11

HONU'APO

OU1 Design Change and Modification Sheet: Change/Modification # 015

This form is used to document changes and modification to the approved plans.

This form will be kept with the official Quality Control Site Plan.

Date Initiated: 10/20/11 Date Executed: _____

Property ID: _____ Operable Unit 1 (Area 1)

Design Change / Modification Description:

Modify the excavation depths and finish elevations along the southern property line of Area 1 due to discrepancy in the surveyed and staked property line versus the WGN design. The modification requires additional excavation along portion of the property line to assure an 18" cap, upon completion. And, the blending of the site's contours to the adjacent BNSF property along the referenced property line.

Reference:

Sheet C4 of the OU1 – Remedial Action Libby Asbestos Project.

See attached email correspondence and survey maps referenced in the correspondence.

Changes marked on Quality Control Plans? Yes ☒ No ☐

SHEET ~~C4~~ C6

Signatures:

Approved:

USACE or EPA: [Signature] Date: 10/21/11

City of Libby: [Signature] Date: 10-21-11

Acknowledged:

CQC: [Signature] Date: 10/21/11

TQA: [Signature] Date: 10-21-11

See the attached surveys and the email below for an explanation of the property line discrepancy between OU1 and the BNSF property.

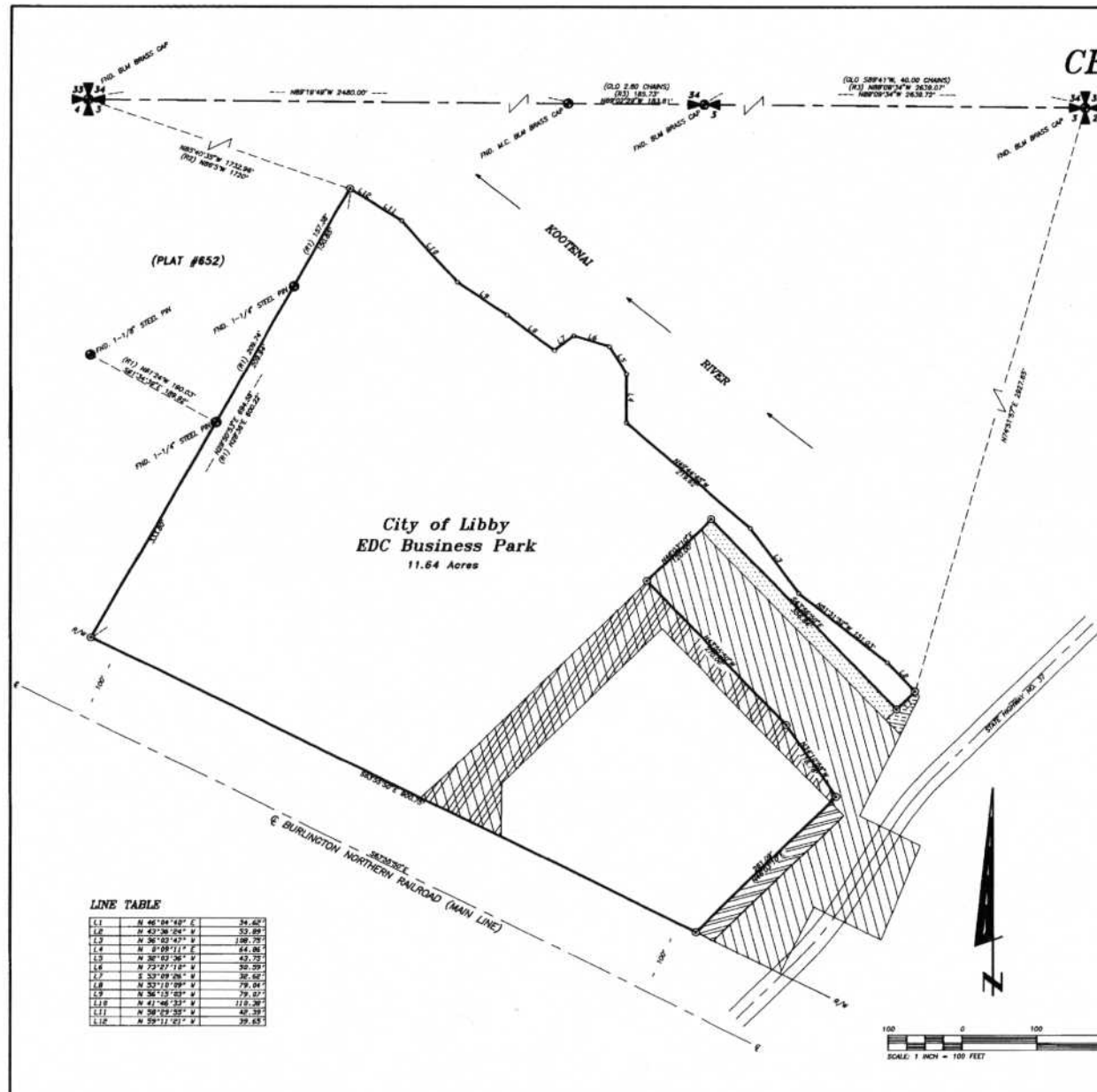
Subject: Riverside park boundary

Attached are two different surveys, the first survey No. 1828 done in 1991 by Davis Surveying Inc. is what we used for the original boundary on the site survey we did in 2010. At the time of the site survey, we only found a couple of monuments located on the northern end of the west boundary line, from those found monuments the rest of the boundaries were retraced by record according to the distances and angles shown on the 1991 survey and associated deeds. This year when we were contracted to physically mark the south (railroad right of way) and west boundary (part of the OU1 contract) we marked the boundaries according to the existing JRS property corners along the rail road right of way as shown on survey no. 2332 done in 1995 (the original Davis corner was destroyed or removed). On the attached surveys I have highlighted the distances on the west boundary where the discrepancy is located, as for why there is a discrepancy I do not know. My experience with railroad right of ways usually involves differences as there are relatively no controlling monuments to establish the railroad right of ways. What is generally used to establish railroad right of way is locating the centerline of the existing main line and offsetting the record distance, in this case 100 ft. It's possible that the JRS used this method of locating a set of "main line" tracks to establish right of way centerline, (there is no other evidence on the JRS survey) but that is only my speculation. As for the older 1991 Davis survey, it appears that the right of way boundary was created using a combination of physically locating the "main line" (which may or may not have been the same "main line" as the JRS survey) and finding controlling monuments from a previous Ninneman Engineering survey located further west of the boundary, as shown on the survey.

Thanks,
Chris Robertson
E.I.D., LLC

CERTIFICATE OF SURVEY

Section 3,
Township 30 North, Range 31 West,
of the Principal Montana Meridian,
Lincoln County, Montana
FOR
City of Libby
EDC Business Park



SEQUENCE OF DEEDS

- DEED B78-P19 R/W TO STATE - 1941.
- DEED "A" B117-P444 TO STATE HIGHWAY DEPT. - 1957.
- DEED "B" B117-P444 TO STATE HIGHWAY DEPT. - 1957.
- DEED "C" B117-P444 TO STATE HIGHWAY DEPT. - 1957.
- QUIT CLAIM DEED B117-P426 STATE HIGHWAY DEPT. TO ZONOLITE - 1957.

LEGEND

- FOUND EVIDENCE AS NOTED
- ⊙ SET 5/8 INCH REBAR CAPPED JRS 9958LS
- COMPLETED POINT - NOT SET
- (K1) RECORD BEARING AND DISTANCE PER PLAT 652
- (K2) RECORD BEARING AND DISTANCE PER INST. NO. 24687 (QUIT CLAIM DEED)
- (K3) RECORD BEARING AND DISTANCE PER C.O.S. NO. 872

BASIS OF BEARINGS

BEARINGS ARE BASED ON CERTIFICATE OF SURVEY NO. 872.

PURPOSE OF SURVEY

The purpose for this division of land is to relocate common boundary lines between adjoining properties and no additional parcels are hereby created.

CERTIFICATE OF SURVEY NO. 2332

COUNTY COMMISSIONER

David A. Cramer
Chairman, Lincoln County Commissioners
Date: 6-15-95
Checked by: *Barry B. Baskin*
Date: 6-15-95

CERTIFICATE OF RECORDER

Filed for record this 15th day of June, 1995, at 9:35 o'clock A.M.
Carol A. Cummings
Lincoln County Recorder
By: *Francis A. Brown*
Deputy

DATE: 5-8-95

JOB NO. M95-01

OWN. BY: SEV-J

REVISION ONE

SHEET 1 OF 1

SECTION 3

TOWNSHIP 30N

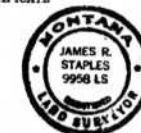
RANGE 31W

PRINCIPAL MERIDIAN MT

LINCOLN COUNTY

SURVEYOR'S CERTIFICATE

I, James R. Staples, do hereby certify that this Certificate of Survey has been prepared in accordance with the Montana Subdivision & Plotting Act (Sections 76-3-101 through 76-3-814 M.C.A.) and the regulations adopted pursuant thereto, and that the map shown hereon is a true representation of a survey made by me.
James R. Staples
James R. Staples, 9958LS
Date: 5-23-95



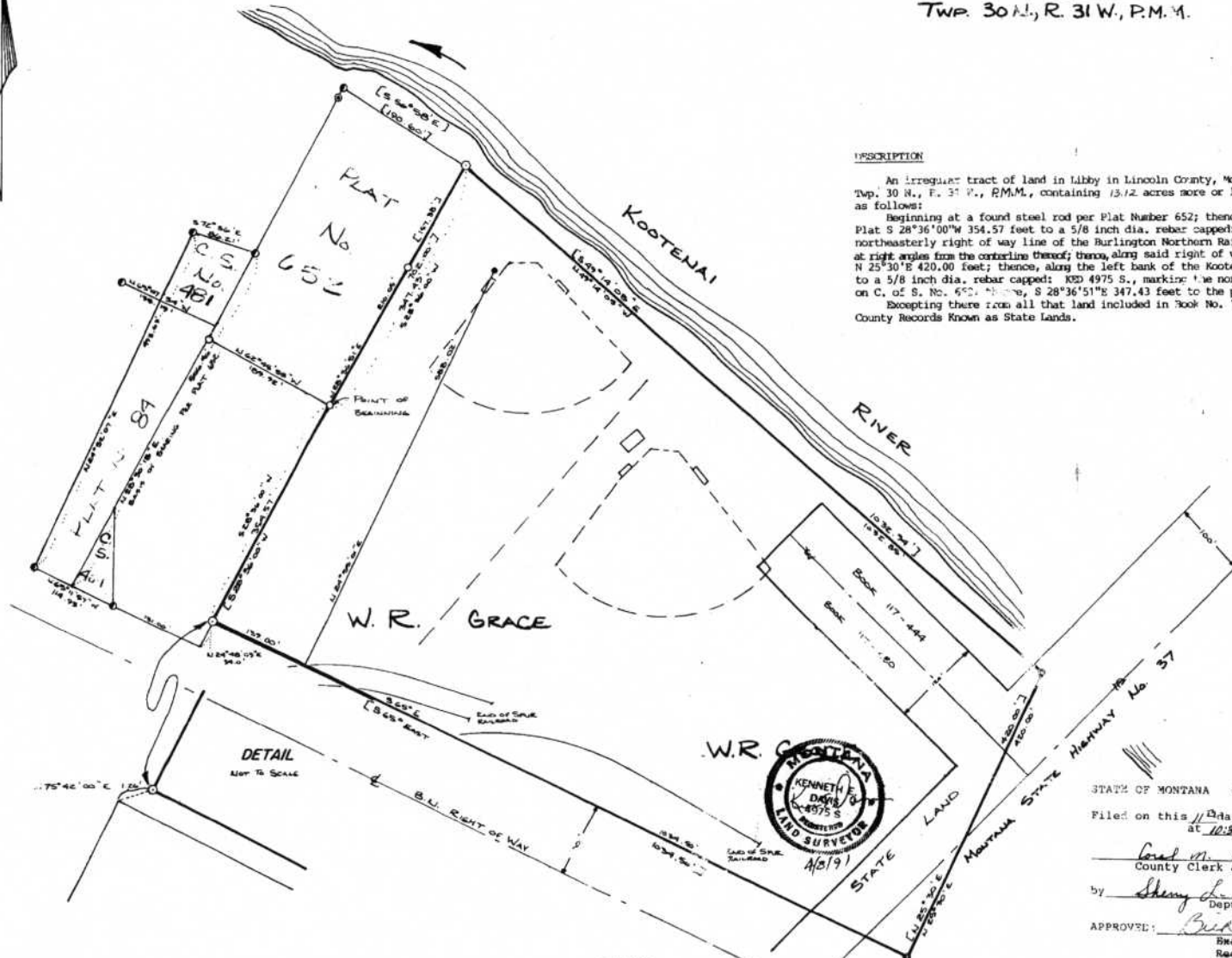
J.R.S. SURVEYING, INC.

P.O. BOX 1050
317 MINERAL AVENUE
LIBBY, MONTANA 59923
(406) 293-5059

LINCOLN COUNTY, MONTANA

RETRACEMENT PLAT

IN LOT 3 OF SECTION 3
TWP. 30 N., R. 31 W., P.M. 4.



DESCRIPTION

An irregular tract of land in Libby in Lincoln County, Montana, lying within lot 4 of Section 3 Twp. 30 N., R. 31 W., P.M. 4., containing 13.12 acres more or less and more particularly described as follows:

Beginning at a found steel rod per Plat Number 652; thence along easterly boundary of said Plat S 28°36'00"W 354.57 feet to a 5/8 inch dia. rebar capped: KED 4975 S., located on the northeasterly right of way line of the Burlington Northern Railroad at a distance of 100 feet at right angles from the centerline thereof; thence, along said right of way line S 65°00'E 1034.5 feet; N 25°30'E 420.00 feet; thence, along the left bank of the Kootenai River N 49°14'05"W 1032.85 feet to a 5/8 inch dia. rebar capped: KED 4975 S., marking the northeast corner of Reedy to Wood Tract on C. of S. No. 652; thence, S 28°36'51"E 347.43 feet to the point of beginning.

Excepting there from all that land included in Book No. 117, Page No. 444 and 480 of Lincoln County Records Known as State Lands.

SCALE: 1" = 100'

DAVIS SURVEYING INC.
PHONE (406) 295-5441
TROY, MT.

LEGEND

- 2" A. 25" DIA. REBAR CAPPED: KED 4975 S.
- 5/8" DIA. REBAR BY J.H.N. 4975 S.
- FOUND "W" MARK BY KED 4975 S.
- FOUND 1" STEEL ROD PER PLAT No. 652.
- ⊙ COMPUTED POINTS.
- [] REBAR PER BOOK 2 PAGE 776.



STATE OF MONTANA COUNTY OF LINCOLN

Filed on this 11 Day of April, 1991
at 10:30 o'clock A. M.

County Clerk and Recorder
by Sherry L. Harbo
Deputy

APPROVED: [Signature]
Examining Land Surveyor
Registration No.

APPROVED: [Signature]
Chairman Board of Commissioners

ATTESTES: [Signature]
County Clerk and Recorder

Dated this ___ day of ___, 1991

PLAT NO. 1828